

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS (SPRINGFIELD)

ACCESS 4 ALL, INC., a Not for Profit
Corporation, and FELIX ESPOSITO,
Individually,

Case No. 3:04-cv-12347-KPN

Plaintiffs,

v.

DELANCEY CLINTON ASSOCIATES, L.P., a
Pennsylvania Limited Partnership,

Defendant.

STIPULATION FOR APPROVAL OF SETTLEMENT AGREEMENT

COME NOW, Plaintiffs and Defendant, and hereby inform the Court that the parties hereto have entered into a Settlement Agreement. Pursuant to the terms of the Settlement Agreement, the parties jointly move the Court to dismiss this matter with prejudice subject to retaining jurisdiction of the matter to enforce the terms and conditions of the Settlement Agreement. Furthermore, pursuant to the Settlement Agreement, the parties also jointly move that the United States Magistrate Judge determine the amount of attorneys' and experts' fees, litigation expenses, and costs to be awarded to Plaintiffs' counsel and expert and for entry of final judgment thereon.

WHEREFORE, Plaintiffs and Defendant respectfully request the Court to approve and enter the Final Order submitted simultaneously with this notice based upon the Settlement Agreement entered into herein.

For the Plaintiffs:

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Defendant. _____/

FINAL ORDER OF DISMISSAL

THIS CAUSE came before the Court on the Stipulation For Approval of Settlement Agreement and the Court having reviewed the pleadings and papers filed in this cause, being advised that the parties hereto seek the dismissal of this action with the Court retaining jurisdiction for the enforcement of the Settlement Agreement entered into between the parties, it is hereby

ORDERED AND ADJUDGED, that:

1. This matter is hereby dismissed, subject to the provisions of paragraph 2 hereof.
2. This Court approves the Settlement Agreement and retains jurisdiction over this matter for the purpose of enforcement of the Settlement Agreement and for determination of the amount of attorneys' fees, litigation expenses, expert fees and costs to be awarded to Plaintiffs as set forth in the Settlement Agreement and for entry of a Final Judgment thereon.
3. Any pending motions are hereby DENIED as moot and this case is closed.

DONE AND ORDERED, in Chambers at _____, Massachusetts, on this _____ day
of _____, 2006.

UNITED STATES MAGISTRATE JUDGE

Copies to:
John P. Fuller, Esq.
Michael C. Harrington, Esq.